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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,473	09/17/2001	Paul W. Forney	213307	7771
23460 7590 04/22/2008 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731				
EXAMINER				
PITARO, RYAN F				
ART UNIT		PAPER NUMBER		
2174				
MAIL DATE		DELIVERY MODE		
04/22/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte PAUL W. FORNEY ET AL.

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Application 09/955,473

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on April 2, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

A PTOL-901 was filed on November 27, 2007, in response to a Reply Brief filed on August 27, 2007. The Examiner states that “The reply brief filed 11 November 2007 has been entered and considered.” Correction is required for clarification of the record.

Accordingly, it is

**ORDERED** that the application is electronically returned to the examiner to vacate the PTOL-90 mailed November 27, 2007, to include the correct filing date of the Reply Brief and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
DALE M. SHAW  
Chief Appeals Administrator  
(571) 272-9797

DMS/gjh

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